

REMARKS

With regard to Applicants' claim for priority from earlier filed applications, such a claim was made upon the filing of the instant application, as noted in the accompanying cover letter:

Under 35 USC 119, this application claims the benefit of priority from the following United States Provisional Applications: serial number 60/189,231, filed March 14, 2000; serial number 60/189,240, filed March 14, 2000; and serial number 60/242,877 filed October 24, 2000.

(A copy of the cover letter is enclosed for reference.) As requested by the Examiner, Applicants have amended the application to add a first paragraph appropriately describing this claim for priority.

With regard to the Examiner's rejection of claims 5-9, 11-15 and 19-26 under 35 U.S.C. § 112, Applicants have amended the claims in a manner believed to overcome the rejections and request reconsideration.

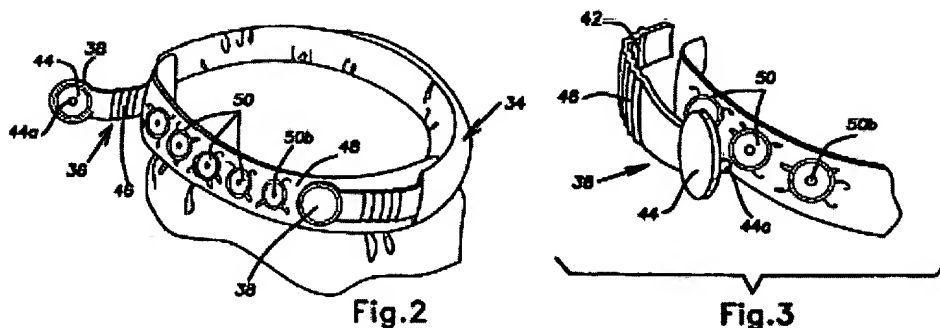
The Examiner has rejected claims 5-9, 14 and 15 under 35 U.S.C. § 103 as being unpatentable over Hilston et al. (WO 97/31605) in view of Suenaga (EP 826354) and/or Roe et al. (US 5,554,145) and/or (Anspach (FR 2750319).

Applicants' invention of sole independent claim 5 is directed to a method of forming a fastening assembly by "molding a continuous sheet-form base" having a multiplicity of integrally molded fastener elements and, as molded, having a non-planar, elastically deformable undulation that extends along a longitudinal direction of the base. This claimed method is an improvement upon known techniques for continuously molding discrete fasteners elements, such as that taught by, e.g., Fischer et al. (U.S. Patent No. 4,794,028), and as later disclosed by, e.g., Suenaga. Such continuous forming techniques provide manufacturing/cost advantages over other forming techniques that produce non-continuous, individually molded or otherwise formed parts or, alternatively, require multiple forming and/or joining operations to produce a desired fastening assembly.

As illustrated in Figs. 2 and 3 of Hilston (reproduced below), Hilston discloses a

fastener belt 38 [that] includes a mounting portion 42 and an engaging portion 44 including snap nubs 44a (Figs. 2 and 3). In order to assure sufficient flexibility and extensibility in the belt construction, the mounting portion 42 is shirred with the use of corrugations or flutes 46 formed therein. The corrugations 46 may be formed during the molding or stamping of the belt or in other conventional manners.

(Page 6, lines 18-25.)



However, it is not apparent from the described construction how Hilston's disclosed fastening belt product could be formed continuously. While each fastening belt, with its corrugations 46 and snap nubs 44a, might be molded individually, Hilston does not teach or suggest a method for continuously molding such a product.

Suenaga teaches the continuous formation of a fastener tape by molding. However, Suenaga fails to provide a technique for producing the longitudinally extending, elastically deformable undulation required by Applicants' claim 5. Applicants submit that neither Hilston nor Suenaga provide any suggestion as to how one of ordinary skill in the art of forming continuous fastener product could combine the individual fastener product forming technique of Hilston with the continuous fastener product forming technique of Suenaga to provide the method of Applicants' claim 5.

For at least the foregoing reasons, Applicants submit that independent claim 5 is patentable over a combination of Hilston and Suenaga.

Attached is a marked-up version of the changes being made by the current amendment.

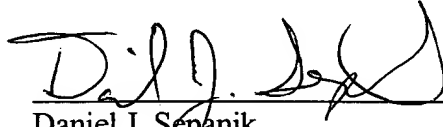
Applicant : William Clun
Serial No. : 09/808,645
Filed : March 14, 2001
Page : 5

Attorney [REDACTED] Docket No.: 05918-213001 / 4080

Applicants ask that all claims be allowed. Applicants do not believe that any fees are due at this time, however, please apply any necessary charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

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Version with markings to show changes made

In the claims:

Claims 5 and 14 have been amended as follows:

5. (Amended) A method of forming a fastening assembly comprising:
molding a continuous sheet-form base having a multiplicity of fastener elements integrally molded with and extending from a fastening section of a surface of the base lying generally in a plane, the base, as molded, having a non-planar undulation in which the base extends out of its plane to form a peak that extends along a longitudinal direction of said base with opposite major surfaces of the base remaining generally parallel, the undulation being elastically deformable to enable said base to stretch laterally upon application of a lateral tensile force to the [fastener product] fastening assembly.

14. (Amended) The method of claim[s] 5 in which the fastener section is molded of resin selected from the group consisting of polyester, polyethylene, polypropylene, polyamide and copolymers and alloys thereof.